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There are few available guidelines to assist those concerned with televised instruction in universities on such matters as ownership of material, control of content, and incentives to faculty. Questions of ownership of recorded material should be resolved, and institutions should be prepared to trade off some of their rights as inducements to faculty to make better use of the medium. Television courses should be under much the same academic control as conventional courses; that is, while accepting technical and production assistance from the television unit, departments and instructors should have the ultimate responsibility for methodology and for revision and re-use of material. The provision of suitable incentives for faculty has been neglected. Means of providing adequate and fair rewards in terms of money, released time, or professional advantage will have to be found. University policies should be devised which can overcome the existing, indifferent-to-negative attitudes on the part of most college faculties, as they are more likely to encourage the use of television if they share in its benefits. A council representing the groups concerned should be formed to make necessary policy decisions, to serve as a review board, and to act upon cases of dispute. (PB)

Responsibilities, Rights, and Incentives for Faculty with Respect to Televised Instruction

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Prepared for The Feasibility Study
of Inter-Institutional Television
University of Minnesota
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RESPONSIBILITIES, RIGHTS, AND INCENTIVES FOR FACULTY WITH RESPECT TO TELEVISED INSTRUCTION

This paper is concerned with questions of policy and practices arising from the use of television for instruction. It is particularly concerned with the rights and responsibilities of faculty and the departments they represent as these relate to questions of ownership; academic control; compensation; revision and withdrawal; length, place, and conditions of use; and other inter-related issues which bear upon matters of equity to all parties concerned with televised instruction. Parties of concern include faculty and others who prepare instruction, faculty who must acquiesce in its use, institutional administrators, and students whose proper education must be our primary concern.[1]

In preparing this statement, the author has relied heavily upon published statements of national organizations and selected institutions, and communications with persons having special experience with this matter. This information has been sifted through his own experience, analysis, and biases to arrive at the positions presented.

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[1]The terms "faculty" and "administrators" are used in this report merely to differentiate primary roles with respect to particular situations. No rigid dichotomy is intended. Actually, many university people function at one time or another in both roles. The distinction is frequently very fine and the separation quite permeable as individuals move easily between them.

The current status of televised instruction in higher education - especially with regard to inter-institutional televised materials - is still very much in the process of developing. Instructional television today - its form and its use - is probably very different than it will be in five or ten years. New problems, the reinterpretation of old problems, new pedagogical insights, new intra- and inter-institutional arrangements, new technology and the gradual erosion and rebuilding of academic customs will surely result in new applications of television to instruction. Indeed, the very process of implementing the results of studies such as the one in which the State of Minnesota is now engaged will exert influence upon the evolution of televised instruction. Therefore, since televised instruction is in the process of development, statements of policy in regard to it perhaps should have a healthy degree of tentativeness about them. They must be thought of as somewhat experimental and they must provide for their own review, revision, and change. The recommendations of this report should be taken in this spirit.

This paper will be subdivided into four main parts: I. Ownership, II. Academic Control, III. Compensation and Other Incentives, IV. Provisions for Review, Modification, and Negotiation of Conflicts.

I. Ownership

The matter of ownership is best discussed first because the treatment of many other issues is contingent upon the question of who

owns - and who may therfore control - the material. Obviously, the question of ownership is more pertinent with respect to recorded televised instruction than that which is simply broadcast live and disappears. It is of recorded instruction that this section will primarily speak.

The American Association of University Professors, in a draft statement of principles of educational television circulated in March of 1965, appears to take the position that the author of a program proprietary rights in that portion of it which is his original creation. Only that author, the AAUP contends, may grant permission for its use. This position is in accord with what many television teachers in the colleges appear to believe <u>should</u> exist, although most of them recognize that in fact it does not.

The National Education Association and several colleges and universities that have prepared policy statements dealing with the matter of ownership take a position different from the one of the AAUP. They assert that if, as is usual, the teacher is commissioned to teach a television course - that is, if some part of employment is for that purpose - then the product belongs to the employer. This difference of opinion has never been specifically adjudicated in the courts, although it is sufficiently sharp to suggest that in time it will be. In the absence of adjudication, however, it appears that the weight of legal opinion favors the view that teaching materials belong to the institution, if they were prepared at the expense of the institution and in persuance

of the instructor's obligation of employment.[1] Most televised instruction is prepared under these conditions and therefore can be considered the property of the institution rather than the property of the teacher.

Several important comments and qualifications are appropriate:

1. Assumptions about ownership ought to be resolved and published so that they are understood by all concerned before the production begins. This understanding should extend to related materials that will be developed and used, such as supplementary study guides.

2. In all academic matters, control should be exercised by the faculty. The television teacher and his departmental colleagues should have the same academic prerogatives with respect to recorded television material as they have for any other instructional materials.

3. It is of the greatest importance to realize that, even though institutions - and therefore the administrators of institutions - may have substantial control over recorded televised materials as a result of institutional ownership, the fundamental questions of control center not around legal right, but around:

equities and incentives for the faculty

provisions which will guarantee instructional effectiveness for the student.

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[1] Some instruction is prepared by grant or contract which may alter the situation. The matter of ownership should be agreed upon at the time the grant or contract is prepared.

It is the faculty which creates these materials and it is the faculty which arranges for their use. If televised instruction is ever going to be widely and effectively provided by some - and used by others - appropriate incentives will have to be found, both for that minority of faculty who will actually prepare the materials and for that much larger group of faculty who must agree to the use of them. Institutions probably should be prepared to trade off some of their rights of ownership as inducements to faculty to make effective use of televised instruction.

II. Academic Control

Students' best interests lie in televised materials being under the control of academic authority. The locus of that authority will vary among institutions but usually it resides in the individual professor or his department, with a right of review vested in other faculty groups, such as college committees or a faculty senate. Faculties are most insistent that they retain academic control of television. The insistence seems entirely proper and in consonance with the dominant view in American education that the faculty is best able to judge and prescribe for the educational needs of students for whom they are responsible.

Academic control, vested at some appropriate level in the faculty, is essential in the following situations:

1. Course Initiation and Accreditation. For those courses which the institution has offered previously, the department - since it has

jurisdiction over both the course and the method of instruction - may elect through its normal internal procedures to use television. The establishment of an organization with authority to offer television courses independent of the usual academic departments concerned should be avoided.

Courses which have not been offered previously should be processed through the usual review procedures. This normally will involve an appropriate academic department initiating a course request which is then reviewed and approved by other faculty and administrative officers.

Televised courses will normally carry the same credit and meet the same requirements as the same course offered by conventional means of instruction. There is a large body of research on televised instruction which indicates that it needs neither more nor less evaluation than courses taught by other means. Periodic evaluation of any instruction is highly desirable, and televised instruction should be subject to the same reviews as conventional instruction.

2. Course Content and Management. The instructor or instructors have the same degree of autonomy in selecting content, organizing its presentation and otherwise managing the television course as pertains in other courses. The instructor is subject to the discipline of the department, but should expect to be as free from outside interference with a television course as with any other.

The television situation introduces several novel elements that need to be taken into account.

a. Televised instruction (whether by closed-circuit or by broadcast) is to some extent more public than the conventional, closed classroom. The instructor can not fail to feel the potential review and criticism of peers and public. This may motivate him to improve his instruction by more careful planning and better presentation, but it may also undesirably inhibit him. In any event, the institution must stand firmly behind him in providing the same degree of academic freedom for the television course as he would expect in the conventional classroom.

b. Although it is still common for there to be just one principal television teacher, it is almost certain to become more common, especially in situations of inter-institutional use of television, for more than one person actively to share responsibility for a course. The question of who is to have academic responsibility and authority, and how disputes are to be resolved, should be settled before course production begins.

c. In regard to the relative authority of the teacher and the television specialists, some organizations have attempted to divide "content" from teaching procedures and methodology, giving the teacher responsibility for the former and the television specialist responsibility for the latter. This is probably a specious dichotomy and, in the view of at least one faculty committee which is known to have formally acted on the question, the teacher should have final authority with respect to both, subject to the discipline of his department. Nevertheless, he should expect to receive and be prepared to accept substantial help and guidance from the television specialists, whose experience and expertise are always a vital

ingredient in the success of televised instruction. The television unit must have a means of withdrawing the facility from the use of a department should it persist in misusing it.

3. Revision. A department responsible for a televised course, usually acting through the instructor, must have the right to revise the course. The decision to revise should be made by the department on the basis of academic need and not, possibly on some other basis, by an official outside of the department.

Periodic revision is necessary because:

a. Changes in the discipline require changes in content.

b. The instructor may achieve new insights either as to content or as to method of presentation, or in some other way the instruction may no longer adequately and fairly represent him.

c. Evidence may be accumulated about the instructional effectiveness of material which dictates a need for revision. (One of the greatest potentialities of recorded instruction as a vehicle for instructional improvement is for the educator systematically to study and revise his instruction in the light of measured student response to it.)

Inasmuch as revision is essentially a demand upon the production facilities of the television unit, conflicts may arise in regard to the relative priority of new productions and revision. In the interest of instructional quality, needed revision of existing courses should be provided for before additional courses are undertaken. A department will, of course, have to provide a reasonable forecast of its intention to revise.

Occasionally, an instructor becomes so enamored of television that revision of his course becomes a way of life. By contrast, other instructors may allow a course to become so out of date that the television unit can not in good conscience continue to show it. In either instance, informal negotiations with instructors and departments will usually lead to some resolution of the problem. A committee of impartial peers to which disputes can be referred should be available.

4. Withdrawal. The right to discontinue the use of a televised course generally rests with the department. In rare instances, the television unit may want to delete a course. In either event, due notice of intent to withdraw a course should be given no later than the regular scheduling of the class for the semester in which it will be withdrawn.

5. Permission for Additional Use. Assumptions about the probable use of a course should be stipulated in advance of course production, e.g., whether it is for use in one institution or by several specified institutions, for one semester or indefinitely, etc. Nevertheless, it is highly probable that uses in addition to those initially stipulated will appear. The material may be rented, sold, loaned, or otherwise used by others. In such cases, departments and the instructors involved should have the right, as a matter of exercising adequate academic control, to grant or withhold permission for such use.

6. Erasure. Recorded material should not be erased without the consent of the department and instructors concerned.

III. Compensation and Other Incentives

This portion of the report will deal with many of the same topics that were discussed in Part II. However, Part II was concerned with academic control, while this is concerned with compensation and incentives. These represent separable issues.

The provision of incentives for teachers to prepare high quality televised instruction and for other faculty to use or to consent in the use of televised instruction is a seriously neglected area of administrative study and creative administrative action. The policies and practices of most institutions appear to be primarily concerned with protecting the rights vested in the institution by the fact of ownership. The hazard in this is that the faculty may be so discouraged from preparing or using televised instruction that there will be little or nothing produced worth protecting.

1. Incentives for the Instructor.[1] The television instructor may react to a variety of co-mingled incentives. Some of the most common appear to be:

   a. money

   b. personal satisfaction - in doing a good and meaningful job, in influencing more students and in helping the institution or department

[1] Although the singular "instructor" is used it should be understood that there may be an instructional team, some of whom may not even appear in the instruction, but who often need to be considered.

c. promotion - in rank and/or in pay

d. professional recognition and academic respect

e. time (in the future) to do something else, such as more time for research.

No doubt the priority of these potential incentives will vary among individuals but at present only the personal satisfaction an individual may get from preparing televised instruction is operative in most institutions. Additional money or extra time off from other duties (not to be confused with release time) are rarely provided. To make matters worse, television teaching is often perceived by the instructor as a barrier to promotion and professional recognition, even though this is frequently a misperception. It is safe to assert that in most institutions, a man must have an extremely strong desire for service to undertake and persevere with televised instruction.[1]

a. Released Time. Planning and preparing a television series is extremely time consuming. No precise guidelines can be given because planning and preparation needs will vary with varying kinds of course material. As an example, however, if a course consisting of two televised lessons a week is to be prepared, it is not unreasonable to provide the instructor with partial released time from other duties two semesters in

[1]There are some, no doubt, who have become involved for less noble motives: the vain man for whom the television studio is a stage; the second-rate man for whom television may seem to be - but rarely is - another chance.

advance of the protection, full released time during the semester preceding the production, full time during the production, and some time after the initial production for necessary revisions.

People unfamiliar with television instruction frequently find it hard to understand these time requirements, probably because they assume that the instructor needs only to give his usual lectures and that, therefore, no substantial amount of additional time will be needed. Actually, the preparation of a televised course usually calls for serious reconsideration of the nature of the course, its objectives, intended outcomes, characteristics of the student population, and the characteristics of human motivation and learning. The potentialities and limitations inherent in the television medium itself must also be understood and provided for. The television teacher must constantly ask himself what can be done now that could not be done before; how the medium is most effectively used to accomplish these objectives; what compensations are needed to offset the limitations of the medium.

When more than one person has substantial reponsibility for a course, each person must have an appropriate amount of time available to him. This is especially important with respect to programs prepared for inter-institutional use in which faculty from several institutions will have to be actively involved in planning and preparation.

b. Assistance. If television teachers are going to achieve personal satisfaction from their effort and if their work is to be

maximumly effective, it follows that they need assistance and cooperation of professionally competent television production specialists who can help them make the most effective use of the medium.

Equally necessary for most teachers, although not yet recognized by most, is the assistance of specialists in the learning process who can participate in developing and structuring the instructional sequence. This is a relatively new concept, but it is entirely appropriate to involve teaching specialists (which most professors are not) in the development of instruction as expensive as televised instruction and which is likely to influence so many students.

c. Local Re-Use and Use by Other Institutions. The television teacher generally reaches more students in his home institution than he would without the use of television, and his instruction is normally re-used for a number of semesters. Thus by using television, the instructor's productivity in terms of numbers of students taught is usually substantially increased. Most institutions consider that the instructor has been adequately compensated if he has been given time to prepare the material and time for revision and supervision of the course as a part of his assigned duties. It is quite probable, however, that most college teachers do not believe that released time alone is adequate compensation for their effort and for their increased productivity. This is one reason that very few college professors can be induced to teach by television.

Recorded instruction may also be used at other institutions by broadcasting the materials to them, by closed-circuit transmission, or by providing them with copies of the videotape. This may be done on the basis of sale, lease, rental, exchange or simply as a service of one institution to another.

A special case of re-use occurs when recorded instruction is used while the instructor is away on extended leave of absence or after he has terminated his employment. If additional compensation is normally paid for re-use, it should also be granted to those whose instruction is used when they are not on campus. At the present time, institutions seem to continue to use instruction under these circumstances as a matter of right of ownership. Some place a limit - usually two or three years - on the length of time material may be used after the instructor's employment has terminated.

There are as yet no emerging patterns of compensation for the teacher whose instruction is used among several institutions. In some instances, released time is considered adequate; in others, a small additional cash payment is made for each lesson; others provide for some division of "savings". In general, however, there appears to be considerable resistance among university administrators to providing substantial monetary reward for the production of instructional television courses, and substantial reluctance among faculty to participate in the absence of such reward.

d. Extra Compensation for Televised Instruction. University professors may value monetary reward less than others, or perhaps they would not be university professors, but they do respond to monetary incentives and, the best ones at least, have ample opportunity to be paid for services in addition to those rendered to the university. Royalties from books, fees from consulting, and paid travel are major sources of additional real income for many in the teaching profession.

It is sometimes argued that consulting and writing books are activities done on the professor's "own" time, while preparing instruction is done on the university's time, and therfore that consulting and writing are valid sources of additional income while preparing televised instruction is not. Although these distinctions are mainly fictitious, they tend to be maintained. It is not surprising, therefore, that professors point out that the time required for the preparation of televised instruction represents time away from other professional activities which are more rewarding - and decline to become involved.

There are genuine difficulties in assessing the monetary value of televised instruction and fairly distributing any increment of benefits. There are accounting problems associated with accurately defining both the cost of conventional instruction and the cost of television. There are legal problems associated with the novel situations made possible by recorded instruction of an individual teaching at more than one place at a time or working substantially more than full time. There are policy problems associated with providing special rewards for individuals (and departments - see 2 following).

The problems and difficulties notwithstanding, it is the thesis of this discussion that because television teaching requires a high degree of competence on the part of the instructor and because it promises to provide substantial benefit to the schools, means of providing adequate and fair rewards will have to be found. Ad hoc arrangements will probably have to be made, but relevant segments of the academic community should be at work on long-range solutions.

e. Promotion and Professional Recognition. Usually decisions regarding promotion in pay or rank are made at the departmental level. Within guidelines set by the administration, department heads or departmental committees recommend promotions. Most institutions which have made any statement at all in regard to the matter, have pointed out that successful television teaching requires a high degree of professional competence and that this competence should be recognized in considering salary and rank. Whether or not it is recognized, however, usually depends almost entirely upon the television teacher's departmental colleagues.

Professional recognition is even less susceptible to legislation or administrative edict. It is conferred entirely by one's peers.

The matter of reward and recognition by one's academic peers for television teaching is, of course, intimately tied up with the more general questions of reward for teaching competence. It may be that many institutions too highly value research competence and professional publication at the expense of teaching competence.

This is undoubtedly a complex question involving the whole academic milieu. We shall try to defend the thesis that departmental rewards conferred upon colleagues for successful television teaching may be positively related to incentives that university administrators could provide to the departments in which these men teach. Simply put, departments are more likely to reward television teaching if the television teacher is performing a service that is valuable to the department. Departments will also be more likely to approve the use of televised instruction if its use makes possible something that they want.

2. Departmental Incentives. As suggested above, the departments very largely control some of the most important incentives for the teacher who undertakes the task of developing a course for television. Departments also control the decision as to whether to initiate, or, if initiated, to continue television instruction. The faculty of the department may do this directly through participation on governing committees, or indirectly through the climate they provide and in which their colleagues work.

Even more directly, the departments control the decision as to whether they will use instruction prepared elsewhere. This is a critical decision for the success or failure of any inter-institutional effort.

In general, it is probably true that most college faculties withhold recognition from their colleagues who teach by television, and are actively hostile to using instruction prepared elsewhere. (That faculties now acquiesce without question to the use of books prepared elsewhere should not blind us to the fact that these, too, were once resisted. Present faculty attitudes toward television may also be modifiable.)

These indifferent-to-negative attitudes usually are justified by the faculty on the basis of a presumed deficiency in instructional effectiveness of instructional television. However, there is a great deal of available research which, while far from definitive, surely does not indicate any substantial difference between televised and "conventional" instruction. It is interesting that faculties should express doubts about the effectiveness of televised instruction when they scarcely ever concern themselves with their colleagues' instructional effectiveness in conventional teaching situation.

Perhaps the real reasons for faculty indifference and hostility lie elsewhere. Let us argue that the objections or, at best, indifference to television of so many faculty stems from the perception that its use does not contribute to their self-interests as professionals in an academic department, or may actually interfere with it.[1]

Let us consider two of the most important "advantages" often proposed to faculty for the use of television.

a. It will result in releasing faculty for other instructional or research tasks. Suppose a situation involving two departments, each with at least one very large service course presumably susceptible to

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[1]There may be some lingering fears of technological unemployment; some rejection of the "machine" by print-oriented humanists; some equation of any television with the idiocy of most popular television. But these are essentially irrational manifestations and are probably not of major importance.

adequate instruction using television. One department tries television, finds its use acceptable and thus reduces the need for staff. The other department - with or without an adequate trial - concludes that television is not an acceptable means of teaching its courses, and therefore as its enrollment grows must employ additional staff. Under most conditions of university administration, which department is now likely to get funds for increased staff? The latter, surely. Even if this were not so, faculty will assume it to be so unless there is clear evidence to the contrary. Thus, the ability which television may give to a department to reduce the number of staff needed is rarely looked upon as a desirable attribute.

b. More of the instruction can be given by senior faculty instead of by teaching assistant. This will improve the over-all quality of the instruction.

Here again, a threat is implicit. With the reduction in the need for teaching assistants may come a reduction in the number of graduate students the department can support. Departments have to offer support in order to recruit good graduate students; good graduate students are a necessity for a good graduate program.

Looked at in this way, as many faculty do, television is likely to be perceived as disadvantageous to a department as a whole and to the individuals in it. Little wonder that they give little encouragement to any of their colleagues who take it up. It is imperative that university

policies be devised and implemented which will arrest and reverse this situation. Television instruction, particularly in inter-institutional setting, promises considerable benefit to society. Some of these benefits will have to be shared with innovating and cooperating departments as incentives.

For example, if by use of television a department can improve its full time equivalent student/instructor ration, then part of this improvement might be reflected in the department's budget by providing for something the department wants such as reduced course loads, more time for research, additional staff in particular areas, increased salaries, and the like.

Similarly, the departments must be assured that the support of their graduate program will continue and grow. Graduate students might much better function as teaching assistants than as primary instructors, preferably with special training in teaching. Probably both graduates and undergraduate students would benefit by such an arrangement.

In summary, if faculties share in the benefits of television instruction, they are far more likely to encourage its use, and encourage those of their colleagues who are willing to undertake television teaching.

IV. Council for Establishing Policy and Resolving Conflicts

Television instruction is a relatively new phenomenon in higher education. Inter-institutional cooperation, utilizing television instruction has scarcely gotten underway. There are few available guidelines; most of the problems are before us. This report has mentioned some of them and has implied many others.

It is essential for the protection of the student, for the encouragement of the faculty, and for the involvement of institutional administrators, that a council of representatives of the various groups concerned be formed to sit as a body which can make preliminary policy decision, serve as a review board and agent of change, and hear and act upon cases of dispute.

Televised instruction, along with instructional innovations such as computer-assisted instruction may be an agent in bringing about fundamental changes in higher education. Changes will not come easily, nor will they all be wise. A representative and deliberative council can help provide essential guidance, and will moreover, by its very existence reassure others of the considered and temperate solution of conflicts and problem .